MINUTES OF EPCG COMMITTEE MEETING HELD UNDER THE CHAIRMANSHIP OF SHRI JAIKANT SINGH, ADDITIONAL DIRECTOR GENERAL OF FOREIGN TRADE AT 1430 Hours ON 26.02.2015

Following officers attended the meeting:

a. Shri Akash Taneja, Joint Director General of Foreign Trade, DGFT
b. Shri D.K. Gupta, Director (DBK), Department of Revenue
c. Shri K.K. Sinha, Industrial Advisor, DIPP
d. Shri K.K. Tiwari, Industrial Advisor, DHI

II. Minutes of the last Meeting held on 22.01.2015 were confirmed.

III. The Committee deliberated upon all the cases and following decisions were taken:

Sl. No.	Party's Name and Numbers	EPCG Authorisation No.	Subject	Decision of the Case
1.	M/s Hirose Manufacturing Company Pvt. Ltd., Noida 01/36/218/18/AM-15/EPCG-I	0530133842 dated 11.02.2003	Condonation of block-wise EO	The Committee observed that the party has fulfilled 100% EO during their original EOP and therefore decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1. 2009-14, subject to maintenance of average EO. **This has the approval of DG.**
2.	M/s Bio-gen Extracts Pvt. Ltd., Bangalore 01/36/218/112/AM-15/EPCG-I	0730010280 dated 13.06.2011	Shifting of capital goods	The Committee observed that both the addresses of the unit i.e. the unit where the capital goods are installed at present and the unit where the capital goods are to be shifted are incorporated in IEC. The Committee, therefore, decided to **regularize** shifting of the capital goods from their unit located at Sunkadakatte (Bangalore) to their unit located at Dabaspet (Bangalore). The regularization is subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
3.	M/s Aay Emm Embroidery, Amritsar 01/36/218/143/AM-	1230000210 dated 19.06.2006	Condonation of block-wise EO (1st block)	The Committee observed that the party has fulfilled 152% EO during their original EOP, and, therefore, decided to

	15/EPCG-I			**recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
4.	M/s Kalpana Bonsala & Company, Chennai 01/36/218/42/AM-15/EPCG-I	0430003802 dated 13.06.2006	Condonation of block-wise EO, extension in EOP and amendment of export product	The Committee noted that the party has not made any export during the original EOP, due to their being new in the export field. The Committee took into account the submission of the party that the party has given details of fresh export orders obtained by them and are confident to fulfil the EO within the extended time period. The Committee also noted that the party has already submitted the 2% composition fee of duty saved amount for unfulfilled EO to RA, Chennai. The Committee, deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14 to allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14, and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each

				year of extension sought in terms of provisions contained in Para 5.11(a) of HBP Vol. I. 2009-14, as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP. The Committee directed that the request of the firm for amendment of export product shall be examined by RA. **This has the approval of DG.**
5.	M/s Jagadguru Textiles Limited, Guntur 01/36/218/137/AM-15/EPCG-I	0930002156 dated 13.04.2006 0930002157 dated 13.04.2006 0930002158 dated 13.04.2006	Condonation of block-wise EO and extension in EOP	The Committee observed that the party has not made any export during the original EOP against two authorizations i.e. 0930002156 dated 13.04.2006 & 0930002158 dated 13.04.2006 due to non-availability of export orders and financial problem. However, the party has made 20% exports during EOP in respect of authorization no. 0930002157 dated 13.04.2006. The Committee noted that the party has received an export order from third party to export to global customers and are confident to fulfil the EO within the extended time period. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14**, to **allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14,; and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or

				an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11(a) of HBP v. I. 2009-14, as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP. The party would submit to RA a copy of agreement entered into between the authorization holder and the ultimate exporter undertaking to export the goods manufactured by the authorization holder for fulfillment pof the export obligation against the EPCG authorization. **This has the approval of DG.**
6.	M/s Brain N Beyond Biotech Pvt. Ltd., Bangalore 01/36/218/389/AM-14/EPCG-I	0730002752 dated 01.04.2005 0730002854 dated 09.05.2005 0730003183 dated 22.08.2005 0730004055 dated 24.04.2006	Condonation of block-wise EO and extension in EOP for 2 years	The Committee noted that the party has not made any export during the original EOP. The Committee took into account the submission of the party that they have sufficient export orders and they are confident to fulfil the EO within the extended time period. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14,** to **allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14;and (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO

				imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11(a) of HBP v. I. 2009-14, as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP. **This has the approval of DG.**
7.	M/s Jayavelu Spinning Mills Pvt. Ltd., Tamil Nadu 01/36/218/175/AM-15/EPCG-I	3530002428 dated 02.03.2007 3530002623 dated 16.05.2007 3530003116 dated 19.02.2008	Condonation of block-wise EO and extension in EOP	The Committee took into account the submission of the party that they have confirmed export orders and they are confident to fulfil the EO imposed against the authorizations. Representative of Department of Revenue stated that the firm should not be allowed any EOP extension as they have not fulfilled export obligation for which investigations have been initiated against them. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14**, to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1. This will however not eliminate the factum nor dilute the liability of the investigations initiated by DRI against the party. Regarding EOP extension, it was decided that the party may approach RA in terms of Para 5.11(a) of HBP v1 2009-14. **This has the approval of DG.**
8.	M/s MJV Enterprises, Chennai 01/36/218/392/AM-14/EPCG-I	0430001415 dated 11.12.2003 0430002351 dated 09.02.2005	Condonation of block-wise EO, second EOP extension in respect of authorization no. 0430001415 dated 11.12.2003 and first EOP extension in respect of authorization no. 0430002351 dated 09.02.2005	The Committee noted that the party has fulfilled 75% exports in respect of authorization no. 0430001415 dated 11.12.2003 and not made any export against the authorization no. 0430002351 dated 09.02.2005 during the original EOP. The Committee took into account the submissions of the party that they had sufficient orders from Sri Lanka but due to political & business scenarios all

				their orders got cancelled. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1. and (b) first extension in EOP for 2 years in respect of authorization no. 0430002351 dated 09.02.2005 on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11(a) of HBP Vol. I. as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP., (c) second extension in EOP for 2 years in respect of authorization no. 0430001415 dated 11.12.2003 on payment of composition fee equal to 50% of proportionate duty saved amount on unfulfilled EO in terms of provisions contained in Para 5.11(b) of HBP Vol. I. **This has the approval of DG.**
9.	M/s Massco Media Pvt. Ltd., Noida 18/103/AM-15/P-5	0530144344 dated 17.08.2007 0530144474 dated 31.08.2007	Condonation of block-wise EO (1st block)	The Committee noted the submissions of the party that they could not make any exports during the EO period due to tough competition in the international market and specific requirements of television

				production and software development. The Committee also took into account the submissions of the party that they now have sufficient export orders and are confident to fulfil the EO within the extended time period. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
10.	M/s ITC Limited, Chennai 01/36/218/139/AM-15/EPCG-I	0430010293 dated 16.09.2011 0430010326 dated 22.09.2011 0430010726 dated 10.01.2012 0430010734 dated 11.02.2012 0430011064 dated 30.03.2012	Partial deletion of average EO imposed	The Committee took into account the submission of the party that they had been supplying printed carton boxes to Nokia unit in Chennai since 2006-2007. The party subsequently took 5 EPCG authorizations between September 2011 to March 2012 with an average EO of Rs. 107 crores and specific EO of Rs. 137.6 crores. The Committee noted that due to major tax dispute, the property of M/s Nokia India Pvt. Ltd. was attached on the orders of the High Court which was subsequently ratified by Hon'ble Supreme Court and the unit was closed w.e.f. 1.11.2014. The Committee took into account the fact that supplies made to Nokia got drastically reduced from 2013-14 and have completely stopped after closure of the unit. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** partial waiver of average EO by reducing the same to 33% of the original average EO imposed, for the balance period of validity of EO

				fulfilment i.e. AM 2014 to AM 2017. The firm would however fulfil the entire specific EO alongwith the reduced average EO. Any exports made to Nokia Chennai unit in 2014-15 (till September 2014) and thereafter will not be counted towards fulfilment of specific /average EO even in case the unit is revived. **This has the approval of DG.**
11.	M/s Sri Parameswari Spinning Mills (P) Limited, Virudhunagar 01/37/218/177/AM-15/EPCG-II	3530003183 dated 28.03.2008 3530003117 dated 19.02.2008	Condonation of block-wise EO	The Committee observed that the request of the party was placed before the EPCG Committee Meeting held on 22.1.2015 and the case was deferred with a direction to call for a copy of CA certificate for exports claimed to have been made by the party. The Committee noted that the party has furnished the CA certificate showing the export of cotton yarn and FOB value of export made during the period 2008-2014. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
12.	M/s Vinyas Innovative Technologies Pvt. Ltd., Mysore 01/37/218/82/AM-15/EPCG-II	0730009909 dated 03.03.2011 0730009052 dated 22.06.2010	Shifting of capital goods	The Committee observed that both the addresses of the unit i.e. the unit where the capital goods are installed at present and the unit where the capital goods are to be shifted are incorporated in IEC and RCMC. The company has already obtained installation certificate from Central Excise. The capital goods have been shifted from their factory located at Survey No.365, KIADB Plot No.200A, Hebbal Industrial Area to their new factory premises KIADB Plot No.19, Sy. No.26&273-P, 3rd phase,

				Koorgally Industrial Area Mysore. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
13.	M/s P.P. International, Chennai 01/37/218/107/AM-15/EPCG-II	0430001273 dated 11.09.2003	Condonation of procedural lapses of non-mentioning EPCG authorization number in shipping bills and maintaining annual average	The Committee noted that the party has claimed that they have fulfilled entire EO during the EOP, however they have not mention the EPCG authorization no. on shipping bills. The Committee noted that while mentioning of authorization numbers on shipping bills is mandatory for fulfilment of specific EO, the same is not required on shipping bills being counted for fulfilment of average EO. The Committee deliberated upon the case and decided to **defer** it with the directions to the concerned Regional Authority to confirm whether the shipping bills being submitted towards fulfilment of specific EO on which authorization nos. have not been mentioned are free shipping bills and whether the exports made by the firm are direct exports or third party exports.
14.	M/s Seyad Cotton Mills Ltd., Tamil Nadu 01/37/218/181/AM-15/EPCG-II	3530003085 dated 22.01.2008 3530002134 dated 15.11.2006	Condonation of block-wise EO and extension in EOP	The Committee took into account the submission of the party that they have not been able to fulfil any EO during the EOP, due to instability in export market. The Committee deliberated upon the case and decided to **defer** it with the directions to call for statement of exports and copies of confirmed export orders in hand from the party.
15.	M/s Rajarathnam Matches (India) Pvt. Ltd., Sivakasi 01/37/218/155/AM-15/EPCG-II	3530003045 dated 31.12.2007 3530003123 dated 22.02.2008 3530003962 dated 13.03.2010	Condonation of block-wise EO (first block) and delay in installation of capital goods	The Committee took into account the report submitted by the representative of the DOR in which it has been stated that the CG imported by the firm against the 3 EPCG authorizations is in their possession. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of**

				FTP 2009-14 to **allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14.; and (b) to **condone** the delay in installation of capital goods, as the delay is beyond 18 months from the date of completion of import as per para 5.3.1(a)of **FTP 2009-14**, subject to a composition fee of Rs. 5000/-. **This has the approval of DG.**
16.	M/s Surya Cotspin Limited 01/37/218/200/AM-15/EPCG-II	3030006287 dated 10.02.2010	Condonation of first block period	The Committee observed that the party has fulfilled 100% EO during the second block of EOP and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
17.	M/s Ultimate Flexipack Ltd. 01/37/218/178/AM-15/EPCG-II	Applied for	Import of Diesel Rotary uninterrupted power source (DRUPS)	The technical members from DHI and DIPP informed that although the proposed capital goods are covered under the provision of Notification No.7 dated 18.04.2013, it is a new technology and not a conventional DG set as it generates power only for a limited period. The CG proposed to be imported are covered under UPS group.

				The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to allow import of Diesel Rotary uninterrupted power source (DRUPS) under EPCG Committee. **This has the approval of DG.**
18.	M/s Sona Alloys Pvt. Ltd., Satara 01/37/218/145/AM-15/EPCG-II	11 EPCG authorizations issued during the period of AM-10 to AM-11	Condonation of block-wise EO	The Committee took into account the submission of the party that they have made some exports in the first block and they are confident to fulfil the EO imposed against the authorizations as their EOP is still valid. Representative of Department of Revenue stated that the firm should not be allowed block-wise extension as they have not fulfilled export obligation of the first block for which investigations have been initiated against them. The Committee noted that the firm has submitted installation certificates from central excise and are already producing pig iron which is a raw material for manufacturing of steel items which is their export product. As per para 5.4 of FTP 2009-14 EO to the extent of 50% can be fulfilled by export of other products manufactured by the party. The Committee, after due deliberation, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. This will however not eliminate the factum nor dilute the liability of the investigations initiated against the party. **This has the approval of DG.**
19.	M/s Montage Enterprises Pvt. Ltd. 18/107/AM-15/P-5	Applied for	Import of Diesel Rotary uninterrupted power source (DRUPS)	The technical members from DHI and DIPP informed that although the proposed capital goods are covered under the provision of Notification No.7 dated

				18.04.2013, it is a new technology and not a conventional DG set as it generates power only for a limited period. The CG proposed to be imported are covered under UPS group. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to allow import of Diesel Rotary uninterrupted power source (DRUPS) under EPCG Committee. **This has the approval of DG.**
20.	M/s Manish Vinyls 01/36/218/103/AM-13/EPCG-I	0530142920 dated 24.01.2007 0530144608 dated 20.09.2007	Codonation of delay in submission of installation certificate.	The Committee noted that the party has obtained the installation certificate issued by Central Excise authority in the current date which is beyond the prescribed time limit of 18 months from the date of completion of import of capital goods. Therefore, the Committee decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation of delay in submission of installation certificate subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
21.	M/s Berkeley Infra Projects Pvt. Ltd., Mumbai 01/36/218/127/AM-15/EPCG-I	0330023532 dated 04.08.2009	Extension in time for further six months for installation of capital goods	The Committee observed that the case was placed before the EPCG Committee in its meeting held on 22.01.2015 and had given sufficient justification for relaxation (the land had been acquired by the Government, the villagers had protest against non-payment thereafter the area was hit by severe cyclone). However the case was deferred as representative of DOR stated that they need to call for a report from the concerned customs authority in the matter. Report in this regard has been received from DOR stating that they have no objection to grant of extension of 6 months for installation of capital goods. The Committee therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow six months extension** for

				installation of capital goods upto 31st August 2015 subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
22.	M/s Panacea Biotec Limited, New Delhi 01/37/218/167/AM-15/EPCG-II	0530156167 dated 04.08.2011	Waiver of average export obligation	The Committee observed that the value of duty forgone in this case was Rs. 74,000 only. It took into account the submission of the party that subsequent to issuance of subject authorization, i.e. on 17.08.2011, the WHO had removed monovalent Hepatitis B (Enivac HB) and the DTwP based combination of DTwP Hepatitis B-Hip (Easyfive) and DTwP –Hepatitis B (Ecvac 4) vaccine manufactured y M/s Panacea Biotec (India) from the list of prequalified vaccines. In addition to this, the WHO team asked Panacea to put on hold shipments of the DTwP based combinations vaccine until a final decision of the acceptability had been made by WHO. As such the product remained delisted w.e.f. 18.08.2011 to the date of receipt of WHO letter dated 02.10.2013 regarding acceptability in principle of Diphtheria-Tetanus-whole Cell Pertussis –Hep, B-Haemophilus Tuype B vaccine, Easyfive TT produced by Panacea Biotec Ltd., for purchase by UN Agencies. The Committee also noted that the party has already fulfilled 147% specific EO, but there is shortfall in maintaining of annual average EO because of the ban on import of drugs manufactured by the party between 18.08.2011 till 02.10.2013, imposed by WHO. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** waiver of maintaining average export obligation for the period during which the shipments were put on hold by WHO i.e. between 18.08.2011 till 02.10.2013. **This has the approval of DG.**
23.	M/s Shriram Pistons & Rings Limited, New Delhi	0530160219 dated 22.01.2013	Shifting of capital goods	The Committee observed that both the addresses of the unit i.e. the unit where the capital goods

	01/37/218/201/AM-15/EPCG-II			are installed at present and the unit where the capital goods are to be shifted are incorporated in IEC and RCMC. The company has also produced a copy of Installation Certificate from chartered engineer confirming installation of capital goods in the new address. The capital goods have been shifted from their unit located at Ghaziabad to Pathredi (Rajastan) unit. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods subject to production of installation certificate from central excise authorities at the new location and payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
24.	M/s Raju Spinning Mills (P) Limited, Rajapalayam 01/37/218/203/AM-15/EPCG-II	3530001945 dated 17.08.2006	Regularization of CG installed in another unit of their own company	The Committee observed that both the addresses of the unit i.e. the unit where the capital goods are installed at present and the unit where the capital goods are to be shifted are incorporated in IEC and RCMC. The Committee also noted that the party has fulfilled 100% EO during the EOP. The company has already obtained installation certificate from Central Excise for the new location. The capital goods have been shifted from their factor located at Padikasuvaithanpatti, Rajapalayam, Tamilnadu to Srivilliputhur, Tamilnadu unit. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
25.	M/s Aruppukottai Sri Jayavilas limited, Tamil Nadu 01/37/218/176/AM-15/EPCG-I	3530002318 dated 19.01.2007 3530002438 dated 08.03.2007 3530002561 dated 11.04.2007 3530002562 dated 11.04.2007 3530002597	Condonation of block-wise EO, extension in EOP and condonation of maintenance of annual average EO	The Committee took into account the submission of the party that they could not fulfil specific EO as well as annual average EO, due to sluggish market condition, lack of skilled labour & technicians, non-availability of raw material, fluctuation in cotton prices, foreign exchange, and power problem. However, now the party have sufficient export orders and are confident to fulfil their EO in the extended time. The party has

		dated 27.04.2007 3530002783 dated 27.07.2007		also submitted the Installation certificates issued by the Central Excise Authorities. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow**: (a) condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. (b) extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11(a) of HBP v.1 2009-14. as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP. The party would however have to maintain the average EO imposed on the authorizations. **This has the approval of DG.**
26.	M/s Challen International (India) Pvt. Ltd., Gurgaon 01/36/218/101/AM-14/EPCG-I	0530131520 dated 22.01.2001	Condonation of block-wise EO	The Committee observed that the party was issued the EPCG authorization for import of capital goods to manufacture paper cups. They subsequently requested for change in export product to 'market research services' which was granted by RA on 15.5.2008. Since the firm failed to fulfil its export obligation, an adjudication order was passed by RA on 1.10.2012. The party thereafter filed an appeal and sought time from the appellate authority for

				seeking condonation of blockwise export obligation from the EPCG Committee. The Committee noted that the report called from RA states that the FIRC's submitted by the party towards discharge of EO neither show the relevant services under which payments are received nor do they show the invoice number to correlate the receipt of payment towards fulfilment of export obligation. The Committee deliberated upon the case and decided to **reject** the case.
27.	M/s Pioneer Polyleathers Pvt. Ltd., Noida 01/37/218/204/AM-15/EPCG-II	0530143581 dated 04.05.2007	Condonation of block-wise EO and extension in EOP	The Committee noted that the party has fulfilled 11.4 % EO till 31.12.2014. However, now the party has stated that they have sufficient export orders and confident to fulfil their EO in the extended time. The Committee also noted that the party has already submitted the 2% composition fee of duty saved amount for unfulfilled EO in first block to the RA. The Committee, deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. Regarding EOP extension the party may approach RA in terms of Para 5.11(a) of HBP v1 2009-14. **This has the approval of DG.**
28.	M/s LG Electronics India Pvt. Ltd., Noida 01/36/218/140/AM-15/EPCG-I	22 EPCG authorizations issued during the period of AM-05 to AM- to 10	Acceptance of installation certificate issued by independent chartered engineer instead of Central Excise authority and relaxation condition of mentioning the name of supporting manufacturer on shipping bills.	The Committee observed that the case was placed before EPCG Committee in its meeting held on 22.01.2015 and was deferred with the directions to call for copies of correspondence exchanged with central excise department w.r.t. issue of installation certificate which have now been submitted by the party.

				The Committee noted that the party has already fulfilled both specific and average EO imposed against all the authorizations. The Committee also observed that party is a manufacturer exporter and there is no requirement to mention the name of supporting manufacturer on the shipping bills in terms of para 5.7.1 of HBP v1 2009-14. The Committee deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** acceptance of installation certificate issued by independent chartered engineer instead of Central Excise authority. **This has the approval of DG.**
29.	M/s Jayadevi Mills Private Ltd., Tamilnadu 01/36/218/171/AM-15/EPCG-I	3530002665 dated 05.06.2007 3530001799 dated 09.06.2006 3530001650 dated 31.03.2006	Condonation of block-wise EO	The Committee observed that the party has fulfilled 100% EO during the second block of EOP, and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
30.	M/s Bharat Aluminium Company Ltd., Korba 01/36/218/157/AM-15/EPCG-I	0530135780 dated 26.02.2004 0530136253 dated 20.05.2004	Condonation of delay in installation of capital goods beyond 18 months	The Committee observed that the party has fulfilled 85% & 149% EO against these authorizations during EOP. The Committee also took into account the submission of the firm that the capital goods could not be installed due to implementing a major expansion in their plant which led to a delay beyond 18 months. The party have already furnished installation certificates issued by Central Excise Authority. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **condone**

				the delay in installation of capital goods, as the delay is beyond 18 months from the date of completion of import as per para 5.3.1(a) of FTP 2009-14, subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
31.	M/s Kumargiri Electronics Ltd., Chennai 01/36/218/61/AM-15/EPCG-I	0430002924 dated 12.08.2005	Condonation of block-wise EO and maintenance of annual average performance	The Committee observed that the party has fulfilled their 100% EO both specific and complete annual average during the second block (i.e. 2013-14) of their EOP. However they could not fufill any EO during 1st block period due to sluggish demand and lethargic market conditions. The Committee noted that the party has already submitted the 2% composition fee of duty saved amount for unfulfilled EO in first block and that average EO has been fulfilled in totality, which is in order. The Committee, deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.**
32.	M/s Omniplast Pvt. Ltd., New Delhi 01/37/218/21/AM-15/EPCG-II	0530153785 dated 22.10.2010	Post facto approval for shifting of capital goods	The Committee noted that the party is registered with Central Excise, but they did not submit the installation certificate from Central Excise. However, they have furnished a copy of installation certificate issued by chartered engineer. The Committee, therefore, decided to **defer** the case with the directions that RA shall obtain installation certificate issued by central excise from the party and forward the same to the Committee.
33.	M/s Priyadarsini Co-operative Spinning Mills Ltd., Kottayam	1030000746 dated 04.01.2006 1030000750	Extension in EOP and Condonation of block-wise EO	The Committee observed that the party has not been able to fulfil EO during the EOP, due to expansion of their project. The

	01/37/218/269/AM-14/EPCG-II	dated 06.01.2006 1030000774 dated 28.02.2006 1030000775 dated 28.02.2006 1030000800 dated 23.03.2006 1030000813 dated 28.03.2006 1030000829 dated 27.04.2006		Committee, deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow:** **(a)** condonation from condition of fulfillment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of 2% composition fee on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **(b)** extension in EOP for 2 years on payment of composition fee equal to 2% of proportionate duty saved amount on unfulfilled EO or an enhancement in EO imposed to the extent of 10% of total EO at the choice of exporter, for each year of extension sought in terms of provisions contained in Para 5.11(a) of HBP v1 2009-14 as the party could not apply to RA within the prescribed period of 30 days from date of expiry of original EOP. **This has the approval of DG.**
34.	M/s Bharat Hotels Ltd., New Delhi 01/36/218/66/AM-15/EPCG-I	0530134244 dated 28.05.2003 0530134245 dated 28.05.2003 0530134255 dated 30.05.2003	Regularization of installation of vehicles imported under ECPG	The Committee noted that the party has imported 4 nos. of Toyota Hiace Vehicles for installation in their units at Mumbai and Goa. The vehicles were however initially utilized in their Delhi unit and therefore installation certificates for them were issued accordingly. However, later on these capital goods were shifted to their original locations for which they were imported and were accordingly registered with local transport authority of that unit. The chartered engineer also issued the installation certificate after the capital goods were transferred and installed at the unit for which they were imported. The Committee also observed

				that both the addresses of the unit i.e. the unit where the capital goods are installed at present and the unit where the capital goods are to be shifted are given in the IEC and RCMC. The party has also fulfilled 100% EO during the EOP. The Committee deliberated upon the case and decided to **regularize** the shifting of capital goods subject to verification of Registration Certificates of all the vehicles issued from both the locations where the capital goods were initially used and the locations mentioned in the EPCG authorizations where they were later on shifted and utilized. The regularization is subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
35.	M/s Tata Steel Limited, Mumbai 18/104/AM-11/EPCG-I	Applied for	Issuance of EPCG authorization for import of excavator model Ex 1200	The Technical Member of the Committee **confirmed** the nexus between the capital goods and export product. The Committee, therefore, **allowed** import of excavator model Ex 1200.
36.	M/s Emami Biotech Limited, Kolkata 01/36/218/128/AM-15/EPCG-I	23 EPCG authorizations issued during the period of AM- 08 to AM-09	Condonation of block-wise EO, condonation of delay in submission of installation certificate and addition of alternate product	The Committee took into account the submission of the party that they could not fulfil the EO for the 1st block as they had no export orders for Biodiesel (Palm Methyl Ester) for the first block period. However, now they have received export orders and with these export orders, they would fulfil entire EO covering both the blocks. The party has submitted the installation certificates issued by Central Excise Authorities in respect of 23 authorizations. The Committee noted that there was a provision to fulfil 100% EO by exports of alternate product manufactured by them in respect of 12 authorizations issued prior to March, 2008 as per para 5.4(i) of FTP 2009-14 and upto 50% EO against 13 authorizations issued after March, 2008 upto 18 April, 2013. The Committee, therefore, decided to **allow** counting of exports of alternate products viz. 'palm methyl acetate' already made by the firm for EO fulfillment in terms of the above provisions. The party would however maintain average export obligation for items

				viz. 'palm methyl acetate' as may be fixed by RA. The Committee further deliberated upon the case and decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14 and **regularize** the delay in installation of capital goods, as the delay is beyond the 18 months from the date of completion of import as per para 5.3.1(a) of FTP 2009-14. The regularization is subject to payment of composition fee of Rs. 5000/-. **This has the approval of DG.**
37.	M/s Goldstone Infratech Limited, Secundrabad 01/36/218/190/AM-15/EPCG-I	0930000460 dated 27.12.2002	Condonation for non-fulfilment of block-wise EO and addition of alternate export product	The Committee observed that the party has fulfilled 91% EO during the second block of EOP by export of Silicon Rubber Insulator instead of EPDM insulators using the same capital goods imported under the EPCG authorization, and, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.** The Committee further decided to **regularize** export of Silicon Rubber Insulator, made by the party prior to endorsement of the same on the EPCG authorization.
38.	M/s Ind Synergy Limited, Raipur 01/36/218/162/AM-15/EPCG-I	0330017266 dated 28.08.2007	Deletion of AEO and condonation of block-wise EO	The Committee observed that the party has already obtained EOP extension up to 27.08.2015. The Committee, therefore, decided to **recommend to DG for relaxation under Para 2.5 of FTP 2009-14** to **allow** condonation from condition of fulfilment of block-wise EO, as the

				party could not apply to RA within the prescribed period of 3 months from date of expiry of the first block, subject to payment of composition fee of 2% on duty saved amount in proportion to the shortfall at the end of each block in terms of the provisions of Para 5.8.2 of HBP v1 2009-14. **This has the approval of DG.** The Committee deliberated upon the request for deletion of AEO which was imposed based on the figures of merchant exports made in the preceding three years and it was decided that this issue will be separately examined on **file** in consultation with the Department of Revenue.

*****